

## **Chapter 54**

### **ANIMALS**

**[HISTORY: Adopted by the Mayor and Council of the Town (now City) of Seat Pleasant: Art. I, 12-16-1968 as Ch. 14, §§ 14-18 and 14-19, of the 1968 Code; Art. II, at time of adoption of Code (see Ch. 1, General Provisions, Art. I). Amendments noted where applicable.]**

#### **GENERAL REFERENCES**

Noise — See Ch. 112.  
Parks — See Ch. 116.

#### **ARTICLE I**

##### **General Provisions**

**[Adopted 12-16-1968 as Ch. 14, §§ 14-18 and 14-19, of the 1968 Code]**

##### **§ 54-1. Keeping of certain animals restricted.**

No person shall raise, keep or maintain any pigeons, live poultry, rabbits or livestock in such a way as to constitute a nuisance or in any way be a menace to the public health.

##### **§ 54-2. Keeping of certain animals prohibited.**

It shall be unlawful for any person to keep any live swine, sheep, goats, horses or animals of the horse kind or cows or animals of the bovine kind in the city.

##### **§ 54-3. Violations and penalties.<sup>1</sup>**

Violation of any of the provisions of this Article will constitute a municipal infraction, punishable by a fine of \$400.

#### **ARTICLE II**

##### **Dogs**

**[Adopted at time of adoption of Code<sup>2</sup>]**

##### **§ 54-4. Definitions.**

As used in this Article, unless the context otherwise indicates, the following terms shall have the meanings indicated:

AT LARGE — Off the premises of the owner and not under the control of the owner or a member of his/her immediate family either by leash, cord, chain or otherwise.

DOG — Both male and female.

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<sup>1</sup>. Editor's Note: Added at time of adoption of Code; see Chapter 1, General Provisions, Art. I.

<sup>2</sup>. Editor's Note: See Ch. 1, General Provisions, Art. I.

OWNER — Any person or persons, firm, association or corporation owning, keeping or harboring a dog.

**§ 54-5. License and registration required; fees.**

All dogs kept, harbored or maintained by their owners in the City of Seat Pleasant shall be licensed and registered if over six months of age. Dog licenses shall be issued by the City Clerk upon payment of a license fee as set forth from time to time by resolution of the City Council.<sup>3</sup> The owner shall state at the time application is made for such license and upon printed forms provided for such purpose his/her name and address and the name, breed, color and sex of each dog owned or kept by him. The provisions of this section shall not be intended to apply to dogs whose owners are nonresidents temporarily within the city nor to dogs brought into the city for the purpose of participating in any dog show nor to Seeing Eye dogs properly trained to assist blind persons when such dogs are actually being used by blind persons for the purpose of aiding them in going from place to place.

**§ 54-6. Tag and collar; fees.**

Upon payment of the license fee, the Clerk shall issue to the owner a license certificate and a metallic tag for each dog so licensed. The shape of the tag shall be changed every year and shall have stamped thereon the year for which it was issued and the number corresponding with the number on the certificate. Every owner shall be required to provide each dog with a collar to which the license tag must be affixed and shall see that the collar and tag are constantly worn. In case a dog tag is lost or destroyed, a duplicate will be issued by the Clerk upon presentation of a receipt showing the payment of the license fee for the current year and the payment of a fee as set forth from time to time by resolution of the City Council for such duplicate.<sup>4</sup> Dog tags shall not be transferable from one dog to another, and no refunds shall be made on any dog license fee because of death of the dog or the owner's leaving the city before expiration of the license period.

**§ 54-7. Running at large.**

No owner or keeper of any dog shall permit such dog to run at large if unlicensed nor shall a dog be permitted to run at large at any time between the months of April and October of each year, whether licensed or unlicensed. At all other times it shall be unlawful to permit any dog to run at large between the hours of 8:00 p.m. of one day and 9:00 a.m. of the following day.

**§ 54-8. Impounding.**

It shall be the duty of every police officer or code enforcement officer to apprehend any dog found running at large contrary to the provisions of § 54-7 and to impound such dog in the county pound or other suitable place.

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<sup>3</sup>. Editor's Note: The current fee schedule is on file in the city offices.

<sup>4</sup>. Editor's Note: The current fee schedule is on file in the city offices.

**§ 54-9. Notice to owner; redemption.**

Not later than five days after the impounding of any dog, the owner shall be notified, or if the owner of the dog is unknown, written notice shall be posted for 10 days at three or more conspicuous places in the City of Seat Pleasant describing the dog and place and time of taking. The owner of any dog so impounded may reclaim such dog upon payment of the license fee, if unpaid, and of all costs and charges incurred by the City of Seat Pleasant for impounding and maintenance of said dog. Charges as set forth from time to time by resolution of the City Council shall be paid to the City Treasurer for impounding any dog, for keeping any dog and for giving notice.<sup>5</sup>

**§ 54-10. Confinement.**

No dog of fierce, dangerous or vicious propensities and no female dog in heat, whether licensed or not, shall be allowed to run at large or upon the premises of one other than the owner. If any such dog is found running at large in violation of this Article, it shall be taken up and impounded and shall not be released except upon approval of the City Administrator after payment of the fees provided in § 54-9; provided, however, that if any dangerous, fierce or vicious dog so found at large cannot be safely taken up and impounded, such dog may be slain by any policeman.

**§ 54-11. Muzzling.**

Whenever it becomes necessary to safeguard the public from the dangers of hydrophobia, the Mayor, if he/she deems it necessary, shall issue a proclamation ordering every person owning or keeping a dog to confine it securely on his/her premises unless such dog shall have a muzzle of sufficient strength to prevent its biting any person. Any unmuzzled dog running at large during the time of the proclamation shall be seized and impounded unless noticeably infected with rabies. All dogs so noticeably infected with rabies and displaying vicious propensities shall be taken to the county pound for termination. Dogs impounded during the first two days of such proclamation shall, if claimed within five days, be released to the owner, unless infected with rabies, upon payment of the impounding charges provided for in § 54-9. If unclaimed after that period, such dog may be summarily destroyed.

**§ 54-12. Rabies notice.**

- A. If a dog is believed to have rabies or has been bitten by a dog suspected of having rabies, such dog shall be confined by a leash or chain on the owner's premises and shall be placed under the observation of a veterinarian at the expense of the owner for a period of two weeks. The owner shall notify the county of the fact that his/her dog has been exposed to rabies, and at his/her discretion, the Poundmaster is empowered to have such dog removed from the owner's premises to a veterinary hospital and there placed under observation for a period of two weeks at the expense of the owner.

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<sup>5</sup>. Editor's Note: The current schedule of charges is on file in the city offices.

- B. It shall be unlawful for any person knowing or suspecting that a dog has rabies to allow such dog to be taken off his/her premises or beyond the limits of the city without the written permission of the City Administrator. Every owner or other person, upon ascertaining that a dog is rabid, shall immediately notify the Poundmaster or a policeman who shall either remove the dog to the pound or summarily destroy it.

**§ 54-13. Vaccination.**

It shall be unlawful for the owner of any dog to keep, maintain or allow such dog to run at large unless it shall have been vaccinated by a licensed veterinary surgeon with anti-rabies vaccine within one year preceding the date on which such dog is kept, maintained or allowed to run at large.

**§ 54-14. Violations and penalties.**

Any owner found violating any provision of this Article shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than \$200 nor more than \$1,000 for such offense.